

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 10, 1952
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Drake presiding.

Roll Call:

Present: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Absent: None

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works.

Councilman White moved the Minutes of the last Regular Meeting be approved. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

MRS. E. T. WILLEY, 211 Elliott Street, asked for better service on their three-quarter water line, which was installed for two families, but which now had five connected to it. This was an area recently annexed. The City Manager stated he would check on this particular case; and if something could be done, it would be done now; but otherwise, it would be done in due time on the general program.

MR. JOHN VAUGHT asked that the Council further consider placing 30-minute parking meters in front of his store at 911 Congress Avenue. The Mayor asked that since a recent study had been made of the parking time, that Mr. Vaught come back the following week to see what the City Manager's recommendation is.

Mayor Drake introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR: OVERRULING AND DENYING ALL PROTESTS AND OBJECTIONS OFFERED; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREET WITHIN SAID LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST SAID PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman MacCorkle moved that the rule be suspended and the ordinance be passed to its second reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the second time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the third time and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council received the following letter:

"July 10, 1952

"To The City Council
City of Austin, Texas

"Re: Completion and Acceptance of Work of Improving West 37th Street from Oakmont Boulevard to Lawton Avenue, being Unit 18 of Current Improvement Program.

"The work of improving West 37th Street from the east property line of Oakmont Boulevard to the west property line of Lawton Avenue, known as Unit 18 in the current street improvement program, has been performed and completed by Brown & Root, Inc. in full compliance with the contract, and the plans and specifications therein contained, dated October 18, 1951, between the City of Austin and Brown & Root, Inc.

"I have inspected, approved and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, plans and specifications referred to above.

"Respectfully submitted,
(Sgd) C. G. Levander
Director of Public Works
City of Austin, Texas"

Mayor Drake then introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING WEST 37TH STREET, UNIT NO. 18, IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY BROWN & ROOT, INC., AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the second time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the third time and Councilman Johnson moved that the ordinance be finally passed. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council received the following letter:

"July 10, 1952

"To The City Council
City of Austin, Texas

"Re: Completion and Acceptance of Work of
Improving Forest Avenue from Oltorf
Street to Fletcher Street, being Unit
37 of Current Improvement Program.

"The work of improving Forest Avenue from the north property line of Oltorf Street to the south property line of Fletcher Street, known as Unit 37 in the current street improvement program, has been performed and completed by Brown & Root, Inc. in full compliance with the contract, and the plans and specifications therein contained, dated October 18, 1951, between the City of Austin and Brown & Root, Inc.

"I have inspected, approved and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, plans and specifications referred to above.

"Respectfully submitted,
(Sgd) C. G. Levander
Director of Public Works
City of Austin, Texas"

Mayor Drake then introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING FOREST AVENUE, UNIT NO. 37 IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY BROWN & ROOT, INC., AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the second time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the third time and Councilman Johnson moved that the ordinance be finally passed. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council received the following letter:

"July 10, 1952

"To The City Council
City of Austin, Texas

"Re: Completion and Acceptance of Work of
Improving East 28th Street from Dancy
Street to Lafayette Avenue, being Unit
49 of Current Improvement Program.

"The work of improving East 28th Street from the east property line of Dancy Street to the west property line of Lafayette Avenue, known as Unit 49 in the current street improvement program, has been performed and completed by Brown & Root, Inc. in full compliance with the contract, and the plans and specifications therein contained, dated October 18, 1951, between the City of Austin and Brown & Root, Inc.

"I have inspected, approved and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, plans and specifications referred to above.

"Respectfully submitted,
(Sgd) C. G. Levander
Director of Public Works
City of Austin, Texas"

Ma yor Drake then introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING EAST 28TH STREET, UNIT NO. 49 IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY BROWN & ROOT, INC., AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the second time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the third time and Councilman Johnson moved that the ordinance be finally passed. The motion, seconded by Councilman MacCorkle,

carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council received the following letter:

"July 10, 1952

"To The City Council
City of Austin, Texas

"Re: Completion and Acceptance of Work of
Improving Newning Avenue from East Monroe
Street to Park Lane, being Unit 57 of
Current Improvement Program.

"The work of improving Newning Avenue from the north property line of East Monroe Street to the north property line of Park Lane, known as Unit 57 in the current street improvement program, has been performed and completed by Brown & Root, Inc. in full compliance with the contract, and the plans and specifications therein contained, dated October 18, 1951, between the City of Austin and Brown & Root, Inc.

"I have inspected, approved and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, plans and specifications referred to above.

"Respectfully submitted,
(Sgd) C. G. Levander
Director of Public Works
City of Austin, Texas"

Mayor Drake then introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING NEWNING AVENUE, UNIT NO. 57, IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY BROWN & ROOT, INC., AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the second time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
 Noes: None

The ordinance was read the third time and Councilman Johnson moved that the ordinance be finally passed. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
 Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council received the following letter:

"July 10, 1952

"To The City Council
 City of Austin, Texas

"Re: Completion and Acceptance of Work of
 Improving Park Lane from Hillside Drive
 to Newning Avenue, being Unit 58 of
 Current Improvement Program.

"The work of improving Park Lane from the west property line of Hillside Drive of the west property line of Newning Avenue, known as Unit 58 in the current street improvement program, has been performed and completed by Brown & Root, Inc. in full compliance with the contract, and the plans and specifications therein contained, dated October 18, 1951, between the City of Austin and Brown & Root, Inc.

"I have inspected, approved and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, plans and specifications referred to above.

"Respectfully submitted,
 (Sgd) C. G. Levander
 Director of Public Works
 City of Austin, Texas"

Mayor Drake then introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PARK LANE, UNIT NO. 58 IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED PERFORMED BY BROWN & ROOT, INC., AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Johnson, moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
 Noes: None

The ordinance was read the second time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the third time and Councilman Johnson moved that the ordinance be finally passed. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council received the following letter:

"July 10, 1952

"To The City Council
City of Austin, Texas

"Re: Completion and Acceptance of Work of
Improving East 44th Street from Red River
Street to Clarkson Avenue, being Unit 61,
of Current Improvement Program.

"The work of improving East 44th Street from the east property line of Red River Street to the west property line of Clarkson Avenue, known as Unit 61 in the current street improvement program, has been performed and completed by Brown & Root, Inc. in full compliance with the contract and the plans and specifications therein contained, dated October 18, 1951, between the City of Austin and Brown & Root, Inc.

"I have inspected, approved and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, plans and specifications referred to above.

"Respectfully submitted,
(Sgd) C. G. Levander
Director of Public Works
City of Austin, Texas"

Mayor Drake then introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING EAST 44TH STREET, UNIT NO. 61 IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY BROWN & ROOT, INC., AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its second reading. The

motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the second time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the third time and Councilman Johnson moved that the ordinance be finally passed. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council received the following letter:

"July 10, 1952

"To The City Council
City of Austin, Texas

"Re: Completion and Acceptance of Work of
Improving Pecos Street from Windsor Road
to Bowman Avenue, being Unit 65 of
Current Improvement Program. (Voluntary
Assessment)

"The work of improving Pecos Street from the north property line of Windsor Road to the south property line of Bowman Avenue, known as Unit 65 in the current street improvement program, has been performed and completed by Brown & Root, Inc., in full compliance with the contract, and the plans and specifications therein contained, dated October 18, 1951, between the City of Austin and Brown & Root, Inc.

"I have inspected, approved and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, plans and specifications referred to above.

"Respectfully submitted,
(Sgd) C. G. Levander
Director of Public Works
City of Austin, Texas"

Mayor Drake then introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF
IMPROVING PECOS STREET, UNIT 65 IN THE CITY OF
AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DE-
FINED, PERFORMED BY BROWN & ROOT, INC., AUTHORIZING
AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT

CERTIFICATES IN CONNECTION THEREWITH; DECLARING
AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE
SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the second time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the third time and Councilman Johnson moved that the ordinance be finally passed. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Drake introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING
THAT CERTAIN STREET DESIGNATED AS WILLIAM STREET
ON THE PLAT OF OWENS SUBDIVISION NO. 1, IN THE
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND SUS-
PENDING THE RULE REQUIRING THE READING OF AN
ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman MacCorkle moved that the rule be suspended and the ordinance be passed to its second reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the second time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the third time and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that in connection with the improvement of the drainage situation in the northeastern portion of the City of Austin, it is necessary for the City of Austin to acquire an easement and right-of-way for drainage purposes across the land hereinafter described; and,

WHEREAS, it appears that the City of Austin, through its duly authorized representatives, has negotiated with the owner of said land and has failed to agree with said owner on the market value of an easement across said land; and,

WHEREAS, the City Council now finds that it is necessary for the City of Austin to acquire said easement through the exercise of the power of eminent domain; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be, and he is hereby authorized and directed to file or cause to be filed against all the owners and lienholders, a suit in eminent domain to acquire an easement for drainage purposes in, on, and across the following strip of land:

A strip of land forty (40) feet in width, same being out of and a part of that certain tract of land out of the James P. Wallace Survey in the City of Austin, Travis County, Texas, which was conveyed to Howell A. Kirk, et ux, by warranty deed dated December 2, 1949, of record in Volume 1013 at page 113 of the Deed Records of Travis County, Texas, the centerline of said strip of land forty (40) feet in width being more particularly described by metes and bounds as follows:

BEGINNING at a point on the south line of the said Kirk tract, and from which point of beginning the southeast corner of the said Kirk tract bears S. 60° 07'E. 20.00 feet;

THENCE N. 30° 30'E. 8.15 feet to a point;

THENCE N. 11° 05'W. 55.41 feet to point of termination on the north line of the said Kirk tract and from which point of termination the northeast corner of the said Kirk tract bears S. 60° 07'E. 56.78 feet.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that in connection with the improvement of the drainage situation in the northeastern portion of the City of Austin, it is necessary for the City of Austin to acquire an easement and right-of-way for drainage purposes across the land hereinafter described; and

WHEREAS, it appears that the City of Austin, through its duly authorized representatives, has negotiated with the owner of said land and has failed to agree with said owner on the market value of an easement across said land; and

WHEREAS, the City Council now finds that it is necessary for the City of Austin to acquire said easement through the exercise of the power of eminent domain; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be, and he is hereby authorized and directed to file or cause to be filed against all the owners and lienholders, a suit in eminent domain to acquire an easement for drainage purposes in, on and across the following strip of land:

A strip of land forty (40) feet in width, same being out of and a part of that certain tract of land out of the James P. Wallace Survey in the City of Austin, Travis County, Texas, which was conveyed to Clifton Cecil Griffin, et ux, by warranty deed dated November 14, 1949, of record in Volume 1005 at page 410 of the Deed Records of Travis County, Texas, the centerline of said strip of land forty (40) feet in width, being more particularly described by metes and bounds as follows:

BEGINNING at a point on the south line of the said Griffin tract and from which point of beginning the southeast corner of the said Griffin tract bears S. 60° 07' E. 56.78 feet;

THENCE N. 11° 05' W. 66.22 feet to a point of termination on the north line of said Griffin tract, and from which point of termination the northeast corner of the said Griffin tract bears S. 60° 07' E. 100.73 feet.

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the final plat of the subdivision known as "Elmer Denson Subdivision Section #2", approved by the City Plan Commission of the City of Austin on April 24, 1952, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN, PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 12(a) OF ARTICLE III RELATING TO TRAFFIC CONTROL DEVICES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; DECLARING AN EMERGENCY AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance be passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN, PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 12(b) OF ARTICLE III RELATING TO STOP SIGN LOCATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; DECLARING AN EMERGENCY AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance be passed to its second reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the final plat of the subdivision known as "Breezy Hollow No. 5, Section 1", approved by the City Plan Commission of the City of Austin on June 12, 1952, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the construction and maintenance of a covered areaway in the alley between West 19th Street and West 21st Street adjoining Lot 43, Outlot 22, Division D of the City of Austin, Travis County, Texas, and hereby authorized the Saint Austin's Church to construct and maintain a covered areaway in the alley subject to the same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue a building permit for the construction of this covered areaway after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations and the right of revocation is retained, if, after hearing it is found by the City Council that the said Saint Austin's Church has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"July 10, 1952
Austin, Texas

"Memo to Mr. Walter E. Seaholm
City Manager
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of Saint Austin's Church for permission to construct and maintain a covered areaway in the alley between West 19th Street and West 21st Street adjoining Lot 43, Outlot 22, Division D of the City of Austin, Travis County, Texas, the same being in the rear of the church building locally known as 2008 Guadalupe Street, and we hereby advise that the following conditions exist:

"This property is located in a business district and the building is located on the alley or rear property line. Due to the elevation of the first floor it is necessary to extend a covered areaway under the alley pavement in order to give sufficient headroom to permit the Electric Department to install the electric transformers required for this project. This arrangement has been suggested by the Electric Department and we therefore recommend that Saint Austin's Church be permitted to extend a covered areaway under the alley adjacent to their building subject to the following conditions:

"That this covered areaway be constructed in accordance with the attached drawing No. 7-C-123 furnished by the City of Austin Electric Department and the

proper drainage provided.

"That the removable slabs for the cover be fitted with flush rings for easy removal and designed to sustain the wheels of a ten ton truck when fully loaded.

"That the owner pay all necessary costs for relocating any underground utility encountered in the construction of this covered areaway.

"Respectfully submitted,
 (Sgd) C. G. Levander
 Director of Public Works
 (Sgd) J.C.Eckert
 Building Inspector

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

Public hearing was held on the Paving of West 6th and Lavaca Streets. MR. LATSON explained the nature of the improvements. MRS. H. B. GRANBERRY, 912 West 6th Street expressed opposition, as she owned three lots and had already paid for the paving once; and that there were no traffic troubles on 6th Street, but on Lamar Boulevard. MRS. S. C. ELLIS, 913 West 6th was opposed. She also was opposed to losing four big trees by this widening of West 6th Street, and thought if they were cut down, she should be paid. MR. BYRON LOCKHART represented MRS. L. A. McALLISTER, 910 West 6th, and favored the widening of West 6th, as it would aid in the commercial development, eliminate the bottleneck and aid in providing some parking spaces. MR. M. F. ALLEN, JR., Pastor First Cumberland Presbyterian Church, presented four reasons of objection for the Church: (1) The traffic would be brought closer to the church and add much noise, (2) The Church could not close the windows to eliminate the noise, as it does not have airconditioning; (3) No way in which the church would be benefitted by the improvements; and (4) The Board of Deacons might not feel justified in paying the cost of the improvements when there are many more urgent needs more closely related to the church. MR. JOHN NASH presented several members from the Real Estate Board to comment on this improvement. MR. CLAUDE WILSON stated it was natural that the widening of an artery as congested as West 6th would certainly have a tendency to increase the values of the property adjoining such a street. From the standpoint of value per front foot, from his opinion he is convinced that the value of the abutting property would be increased to an extent that would far offset any cost of the improvement. MR. BILL SIMMS, Paul Simms Company, stated the widening of West 6th Street would benefit the property and asked that something be done about Bowie Street. MR. NASH stated his concern in keeping traffic moving, and the more and better streets, the faster the traffic would move--not by increase in speed but increase in flow. MR. H. A. BUTCHER favored widening West 6th, but thought Lamar and 6th was the bottleneck; and unless something was done there, he did not see how the widening would help. MR. RAYMOND CAMPI, favored widening West 6th east of Lamar; and stated he had store buildings east of Blanco, which provided for head-in parking, and he would like to see these people permitted to use this head-in parking on the north side of the street until the time to widen the whole thing. That way, he would favor widening 6th all the way through. MRS. McALLISTER stated Safeway Store stated they were in favor of widening West 6th, and even though they had parking space, it was hard to back out. MR. NASH again stated his interest, and reported there was a letter on file from the Humble Company at 6th and West Avenue that they favored the widening. E. R. PEAVY, West 6th

and Bowie, asked that Bowie be improved. MRS. ELLIS stated Mrs. Elliott and Mrs. Riley, both on West 6th Street, opposed the widening, but could not be present. Councilman MacCorkle moved that the hearing be closed. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

MR. P. S. MANGUM inquired about a subdivision. It was found the surveyor had made a mistake, and the plat would have to be changed, and have to go before the Plan Commission.

The Council received notice that the following applications for change of zoning had been referred to the Zoning Commission.

THE WALTER TIPS CO.	2700 Blk. E. 7th St.	From "D" Industrial To "E" Industrial
A. L. PETERSON	4001-05 Alice Ave. & 4000-04 Marathon Blvd.	From "A" Residence To "C" Commercial

Discussion was held on WAIT and WALK signals. It was stated this was covered under the ordinance providing lights. Discussion was held also on right turns on red lights, and it was explained that right turns were permissible if there were a sign stating it was permissible. Without the signs, no right turns should be made on red lights. The City Manager displayed a sign, "SLOW - YIELD TO CROSS TRAFFIC" which he wanted installed at certain intersections. Regarding traffic cautions, Councilman Long asked about the condition on 7th Street going east to San Jacinto. The City Manager stated this particular situation was under study at this time.

Councilman Long asked about the methods used to inform plumbing contractors about the spacing for sewer connections. The Director of Public Works explained the system used, stating it was very efficient, and the set-up gave good service. Councilman Long stated she had some calls from contractors, stating they had been held up, waiting for this information.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the sum of \$13,000.00 be and the same is hereby appropriated out of the Unappropriated Fund, not otherwise appropriated, for the purpose of acquiring approximately four and a half acres of the Cannizzo Property for playground adjacent to the Zilker School.

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

There being no further business, the Council adjourned subject to the call of the Mayor.

APPROVED: _____

W S Drake
Mayor

ATTEST:

Elin Mosley

City Clerk